

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GUCCI AMERICA, INC.,

Plaintiff,

-against-

JENNIFER GUCCI, JENCO DESIGNS, LLC,  
JENNICOR, LLC, JENNY GUCCI COFFEE AND  
GELATO COMPANY, INC., VERATEX, INC.,  
COLLEZIONE DI CASA, INC., E.L. ERMAN-  
DEAD SEA COSMETICS CORP., ELE BRANDS  
ENTERPRISE, INC., GBN WATCH  
COLLECTION, INC., GBN GLOBAL BUSINESS  
NETWORK, EDWARD LITWAK d/b/a ED  
LITWAK & ASSOCIATES, GEMMA GUCCI,  
GEMMA GUCCI COFFEE AND GELATO  
COMPANY, INC., ABC CORPORATIONS 1-10,  
and JOHN DOES 1-10,

Defendants.  
\_\_\_\_\_

X

Civil Action No. 07 CV 6820  
(RMB)(JCF)

**DECLARATION OF  
GEMMA GUCCI**

X

I, GEMMA GUCCI, a Defendant in the above-captioned matter, do declare and say under penalty of perjury, under the laws of the United States, that the following is true and accurate:

1. I make this Declaration on June 16, 2008, based on my personal knowledge, except as indicated otherwise, and if called as a witness could competently testify thereto.

**GEMMA GUCCI IS THE DAUGHTER OF  
FORMER GUCCI CHIEF DESIGNER PAOLO GUCCI AND JENNIFER GUCCI**

2. I am the daughter of Paolo Gucci and Jennifer Gucci; Paolo Gucci was at one time the Chief Designer for Gucci. I was born on June 3, 1983 at the Lenox Hill Hospital in New York City.

3. As a child I spent most of my life growing up in New York City with my mother and father, Jennifer Gucci and Paolo Gucci, in our apartments in Manhattan. My mother began

divorce proceedings against my father in 1991, when I was approximately 8 years old. My father, Paolo Gucci died in 1995 when I was approximately 12 years old.

4. I attended school at Trinity School in Manhattan.

5. I later attended college at the University of St. Andrews in the United Kingdom, and graduated in 2005 with a Master's Degree in International Relations.

6. After graduation from St. Andrews, I began work at the investment bank, Credit Suisse in New York City until 2007. In June 2007, I began work with Jefferies & Co., also an investment bank.

7. During High School at the Trinity School, I took classes regarding design. I also attended weekend classes for fashion design at the New York Fashion Institute of Technology. During my summer vacation period while in High School I was employed at an interior design firm; Noel Jeffrey, Inc., in New York City.

8. I have always had an interest in designing clothing and fashions as a result of my exposure to the fashion industry through my father and mother. I had plans to attend Parsons New School for Design in New York City upon graduation from Trinity, but ultimately decided to attend St. Andrews instead.

9. To this day, I am particularly interested in designing jewelry, as well as doing interior design work for homes and businesses. Given my exposure to the world of design, through both my father and mother, my personal experiences being involved in the design process for jewelry and other items, and my keen interest in the design process, I have an innate point of view regarding the design process that I want to continue to express by designing jewelry and interior spaces in the future.

10. Edward Litwak is my licensing agent regarding the licensing of the use of my name for products or services; Edward Litwak was also my father, Paolo Gucci's licensing agent. I have a verbal agreement with Mr. Litwak regarding the authority to enter into licensing agreements regarding the use of my name.

11. I have always been interested in licensing my name for use on appropriate products and services. Most of the licensing opportunities regarding the use of my name on products and services have come to my attention through either my mother, Jennifer Gucci, or my licensing agent, Mr. Litwak.

12. I am in the public eye, and have been part of articles written about my family, have been photographed attending fashion shows and other events in New York City

**GEMMA GUCCI ENTERS INTO A LICENSE AGREEMENT  
WITH FLITSCH & BENDAYAN REGARDING JEWELRY**

13. In or about some time in 2000, with my permission, my mother entered into a licensing agreement with Flitsch & Bendayan GmbH of Germany ("Flitsch") on my behalf regarding the design, marketing and sale of jewelry in Europe, using my name.

14. Pursuant to that agreement, I participated in the design of jewelry products that were to be sold in Europe through various retailer chains, including Karlstadt, which operates stores in Switzerland, Germany and other European countries. The jewelry products were to be sold using a label "Gemma by Gemma Gucci".

15. I later learned that some of the products were incorrectly labeled "Gemma Gucci", which was not what my mother and I had authorized with Flitsch or Karlstadt.

16. In early 2000, Flitsch brought a legal action against Guccio Gucci S.p.A. in a German court regarding use of my name on jewelry.

17. In April 2000, pursuant to an agreement between the parties to the German litigation about the use of my name on jewelry, Guccio Gucci S.p.A. agreed to allow jewelry to be labeled and sold under my name by including the phrase “styled/designed by Gemma Gucci”, and placed in such a manner as the consumer recognizes the reference to me as the designer. A German Court in Hamburg issued an order reflecting the settlement of the parties on April 26, 2000.

18. It is my understanding that pursuant to my licensing agreement with Flitsch, and pursuant to the German Court’s order of April 26, 2000 Flitsch sold jewelry using my name in various retail stores.

**TV PRODUCERS SHOW INTEREST IN A REALITY SHOW ABOUT GEMMA GUCCI**

19. In or about mid-2005, several TV producers showed an interest in creating a reality show about me, and my desire to enter in to the world of design. The WE Network showed an interest in carrying the show.

20. In conjunction with the interest in this possible TV reality show about me, I hired the entertainment law firm of Epstein, Levinsohn, Bodine Hurwitz & Weinstein to assist me in negotiating an agreement. Mr. Edward Litwak acted as my licensing agent regarding deal.

21. In conjunction with this possible TV reality show about me, a film crew came to London, England, and filmed my mother and I for a day.

22. Ultimately, since I decided that I did not want my day-to-day life to widely broadcast on TV, I decided not to go forward with the project. As a result, there was never an agreement about the TV reality show, and the series was never produced.

**GEMMA GUCCI ENTERS THE WINE AND GOURMET FOOD FIELDS**

23. In or about mid-2005, certain business entities expressed interest in using my name to promote wine and gourmet foods. These opportunities were brought to my attention by my licensing agent, Edward Litwak. I have always loved to cook, and was looking at these opportunities as venues for expressing my interests in wine and food.

24. I provided input as to my likes and dislikes regarding the various sorts of wine that were being proposed for use with my name. I also had input in the design of the labels for the proposed wine, including drawing proposed labels.

25. Ultimately, these wine and gourmet food opportunities did not come to market.

26. In conjunction with the licensing and promotion of my name, I own certain domain names including gemmagucci.eu and gemmagucci.org.

**GEMMA GUCCI BEGINS DESIGNING HANDBAGS**

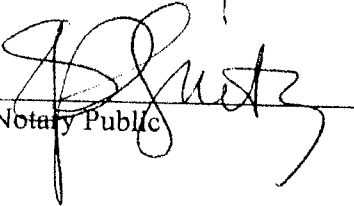
27. In or about late-2006, I began exploring the possibility of designing and marketing handbags and accessories under my name. My licensing agent, Mr. Litwak, introduced me to certain individuals who wanted to assist me in this process.

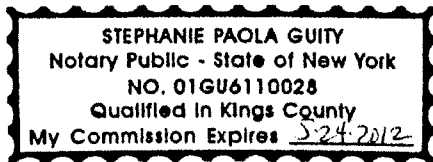
28. In late-2006 I met with Mark Pearsall and his designer, Jasmine Mesa, to discuss designing handbags. We met and discussed concepts for handbags and accessories.

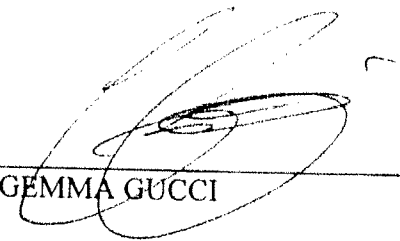
29. I have also communicated with Ms. Mesa about the design of the handbags and the proposed logo to go on the handbags. I had input in the design of the proposed handbags and the logo for the handbags.

30. It is my understanding that the home shopping channel QVC was interested in selling handbags and jewelry under my name.

Sworn to before me this  
day of June, 2008

  
Notary Public



  
GEMMA GUCCI